

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	3:08-CR-120-LRH (VPC)
)	
RICHARD YOUNG aka RICK YOUNG,)	
)	
Defendant.)	

FINAL ORDER OF FORFEITURE

On May 16, 2011, the United States District Court for the District of Nevada entered an Amended Preliminary Order of Forfeiture (#182) pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), based upon the criminal conviction of defendant RICHARD YOUNG aka RICK YOUNG on certain title 18 criminal offenses, forfeiting specific property alleged in the Second Superseding Indictment and shown by the United States to have a requisite nexus to the offenses on which defendant RICHARD YOUNG aka RICK YOUNG was found guilty.

This Court finds the United States of America published notice of the forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from June 2, 2011 through July 1, 2011, notifying all known third parties of their right to petition the Court for a hearing to adjudicate their alleged interest in the forfeited property. Proof of such publication has been filed (#195).

1 This Court finds the United States of America caused notice of the forfeiture to be provided
2 through means authorized by law to all known persons and entities, including by personal service,
3 further notifying all known third parties of their right to petition the Court for a hearing to adjudicate
4 their alleged interest in the forfeited property. Proof of such notice has been filed (##197, 212).
5 Notice of the forfeiture included notice to to the following persons and entities:

6 On June 1, 2011, Maelee Enterprises, Inc., was served by regular mail and by certified return
7 receipt mail with copies of the Amended Preliminary Order of Forfeiture and the Notice. #197-1, p.
8 1-3, 5-10; #197-2, p. 30-44.

9 On May 27, 2011, Maelee Enterprises, Inc., was personally served with copies of the
10 Amended Preliminary Order of Forfeiture and the Notice. #197-1, p. 4; #197-2, p. 30-44.

11 On May 26, 2011, Maelee Enterprises, Inc., c/o Reade and Associates, was personally served
12 with copies of the Amended Preliminary Order of Forfeiture and the Notice. #197-1, p. 11; #197-2,
13 p. 30-44.

14 On May 27, 2011, Maelee Enterprises, Inc., c/o C. Reade, was personally served with copies
15 of the Amended Preliminary Order of Forfeiture and the Notice. #197-1, p. 12; #197-2, p. 30-44.

16 On May 27, 2011, Maelee Enterprises, Inc., c/o Corporate Credibility LLC, was personally
17 served with copies of the Amended Preliminary Order of Forfeiture and the Notice. #197-1, p. 13;
18 #197-2, p. 30-44.

19 On June 3, 2011, Maelee Enterprises, Inc., c/o Corporate Service Center Inc., was personally
20 served with copies of the Amended Preliminary Order of Forfeiture and the Notice. #197-1, p. 14-15;
21 #197-2, p. 30-44.

22 On June 1, 2011, Superior Automotive Repair & Towing, LLC, was served by regular mail
23 and by certified return receipt mail with copies of the Amended Preliminary Order of Forfeiture and
24 the Notice. #197-1, p. 25-27; #197-2, p. 30-44.

25 On June 1, 2011, Superior Automotive Repair & Towing, LLC, c/o Business Filings
26 Incorporated, was served by regular mail and by certified return receipt mail with copies of the

1 Amended Preliminary Order of Forfeiture and the Notice. #197-1, p. 28-33; #197-2, p. 30-44.

2 On June 1, 2011, Superior Automotive Repair & Towing, LLC, c/o Business Filings
3 Incorporated, was served by regular mail and by certified return receipt mail with copies of the
4 Amended Preliminary Order of Forfeiture and the Notice. #197-2, p. 1-6, 30-44.

5 On June 1, 2011, Superior Towing, LLC, was served by regular mail and by certified return
6 receipt mail with copies of the Amended Preliminary Order of Forfeiture and the Notice. #197-2, p.
7 7-9, 30-44.

8 On June 1, 2011, Superior Towing, LLC, c/o Business Filings Incorporated, was served by
9 regular mail and by certified return receipt mail with copies of the Amended Preliminary Order of
10 Forfeiture and the Notice. #197-2, p. 10-23, 30-44.

11 On July 13, 2011, Wells Fargo Bank, N.A., was served by regular mail and by certified return
12 receipt mail with copies of the Amended Preliminary Order of Forfeiture and the Notice. #212, p.2-
13 19.

14 On July 13, 2011, first Bank of Montana, was served by regular mail and by certified return
15 receipt mail with copies of the Amended Preliminary Order of Forfeiture and the Notice. #212, p.
16 20-38.

17 On June 1, 2011, Deborah Young, was served by regular mail and by certified return receipt
18 mail with copies of the Amended Preliminary Order of Forfeiture and the Notice. #197-1, p. 16-22;
19 #197-2, p. 30-44.

20 On June 3, 2011, Deborah Young, was personally served with copies of the Amended
21 Preliminary Order of Forfeiture and the Notice. #197-1, p. 23; #197-2, p. 30-44.

22 On June 6, 2011, Deborah Young, was personally served with copies of the Amended
23 Preliminary Order of Forfeiture and the Notice. #197-1, p. 24; #197-2, p. 30-44.

24 On June 1, 2011, Bo Young, was served by regular mail and by certified return receipt mail
25 with copies of the Amended Preliminary Order of Forfeiture and the Notice. #197-2, p. 24-26, 30-44.

26 On June 1, 2011, Wendy Young, was served by regular mail and by certified return receipt

1 mail with copies of the Amended Preliminary Order of Forfeiture and the Notice. #197-2, p. 27-44.

2 This Court finds that Wells Fargo Bank, N.A. filed a timely petition (#209) pursuant to 21
3 USC § 853(n), wherein it claimed a legal interest in one of the properties identified in the Amended
4 Preliminary Order of Forfeiture; to wit, real property located at 716 Ohio Street, Lewistown,
5 Montana. Pursuant to the stipulation of the affected parties (# 223), the legal interest of Wells Fargo
6 Bank, N.A., arising from a certain promissory note and deed of trust which encumbers said real
7 property, is a legal interest which is exempt from forfeiture pursuant to 21 USC § 853(n) and is
8 acknowledged by the United States to be exempt from forfeiture to the extent of the unpaid principal
9 balance of said promissory note together with interest accruals and credits applied thereto. The
10 principal balance of said promissory note as of September 16, 2011 is \$129,260.01.

11 This Court finds that the United States has acknowledged the legal interest of First Bank of
12 Montana in two vehicles, identified below. The legal interest of First Bank of Montana arises from
13 a certain promissory note and security instrument which encumbers the two vehicles and is
14 acknowledged by the United States to be exempt from forfeiture to the extent of the unpaid principal
15 balance of said promissory note together with interest accruals and credits applied thereto. The
16 principal balance of said promissory note as of September 8, 2011, is \$12,865.59. The two vehicles
17 which are encumbered by the legal interest of First Bank of Montana are as follows:

- 18 1. 1993 Freightliner Truck, VIN: 2FUVDZYB0PA419538;
- 19 2. 1989 Freightliner truck, VIN: 1FUYDCYB2KP345810.

20 This Court finds that no petitions or claims are pending with regard to the properties
21 identified herein and the time for presenting such petitions or claims has expired.

22 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that, except for the legal
23 interest of Wells Fargo Bank, N.A. in the real property located 716 Ohio Street, Lewistown Montana,
24 which legal interest is described above, and the legal interest of First Bank of Montana in the two
25 Freightliner trucks, which legal interest is described above, all right, title, and interest in the property
26 hereinafter described is condemned, forfeited to, and vested in the United States of America and

shall be disposed of according to law:

Real Estate

1. 206 Main, Lewistown, Montana, Parcel # 08246715146010000;
2. 212 Main, Lewistown, Montana, Parcel #08246715146020000;
3. 116 Daws, Lewistown, Montana, Parcel #08246715146350000;
4. 716 Ohio, Lewistown, Montana, Parcel # 08246715257010000;
5. The garage adjacent to 716 Ohio, Lewistown, Montana, Parcel # 08246715257020000;
6. 1420 Cochrane Avenue, Lewistown, Montana, Parcel #08246709220060001;
7. 1421 Cochrane Ave., Montana 59457, Parcel # 08246709220068002;
8. 1208 7th Avenue N., Lewistown, Montana, Parcel # 08246715257040000.

The legal description of the above-listed properties are provided in the attachment hereto which is marked Exhibit A, incorporated herein by reference.

Funds

All funds held in a Wells Fargo bank account, having bank account #226266396994 and in the name of Global One Group, LLC (including the sum of \$493,849.83 seized therefrom).

Businesses

1. Superior Automotive Repair & Towing, LLC, a corporate entity having an address at 206 East Main, Lewistown, Montana, together with the assets thereof.

2. Superior Towing, LLC, a corporate entity having an address at 206 East Main, Lewistown, Montana, together with the assets thereof, including but not limited to:

- a) 2002 Chevrolet Silverado, VIN 1GCHK23192F124877;
- b) 2008 Ford F550, VIN 1FDAX57R68EC55859;
- c) 1989 Freight Liner 999, VIN 1FU YDCYB2KP345810;
- d) 2003 International 4300/DT466, VIN 3HTMMAAMX3N565710;
- e) 1993 Freight Liner TL, VIN 2FU YDZYB0PA419538;
- f) 1968 Kenworth Ton, VIN/serial No. 110413;

- g) 1998 International 4700, VIN 1HTSCAAL9WH553161;
- h) 1995 Ford F350, VIN 1FDKF38F7SEA00256;
- i) 1992 Dodge Power Ram 350, VIN 187MM3653N5635137;
- j) Contents of operating account held at First Bank of Montana, represented by check number 112908 in the amount of \$741.75;
- k) accounts receivables payments totaling \$1436.00;
- l) all parts, tools, equipment, furnishings, inventory, and supplies located at the 206 East Main business premises.

Personal Money Judgment

An *in personam* criminal forfeiture money judgment in the amount of \$16,008,330.00 (sixteen million eight hundred thousand three hundred thirty dollars) in United States Currency. The net proceeds of the sale of any of the afore-mentioned properties by the government shall be credited toward satisfaction of the herein-described personal money judgment. The following likewise shall be forfeited as substitute assets pursuant to 21 USC § 853(p) and credited to the money judgment described herein:

- a) Contents of account number 315-134180-2, Washington Mutual Bank (including the sum of \$33.04 seized therefrom);
- b) Contents of account number 315-134182-8, Washington Mutual Bank (including the sum of \$8,802.23 seized therefrom);
- c) Contents of account number 315-203690-7, Washington Mutual Bank (including the sum of \$2,853.00 seized therefrom);
- d) Contents of account number 315-134185-2, Washington Mutual Bank (including the sum of \$228.11 seized therefrom);

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as any income derived as a result of the United States of America's management of any property

1 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
2 according to law.

3 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
4 certified copies to the United States Attorney's Office.

5 DATED this 13th day of December, 2011.

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9 _____
10 LARRY R. HICKS
11 UNITED STATES DISTRICT JUDGE
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Exhibit A

Exhibit A

206 Main, Lewistown, MT: Parcel #08246715146010000 (Note: same legal description for 212 Main, Lewistown, MT)

Tract 1:

Lot 1, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana.

Lot 2, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana.

Beginning at the most Easterly corner of Lot 2, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana:

Thence North 45 degrees East, parallel with the northwesterly side of Main Street, 30 feet;
Thence North 45 degrees West 90 feet;

Thence South 45 degrees West 30 feet to the most Northerly corner of said Lot 2;

Thence South 45 degrees East along the Northeasterly line of said Lot 2, 90 feet to the place of beginning; being what would be the Southwesterly 30 feet of Lot 9, Block 41 of the Partition and Distribution in the matter of the Estate of Francis A. Janeaux, deceased, if said Block were subdivided into Lots and numbered according to Block 31 of said Partition and Distribution. Recording Reference: Book 177 of Deeds, page 272

Tract 2:

Beginning at the most Easterly corner of Lot 2, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana;

Thence North 45 degrees East, parallel with the Northwesterly side of Main Street, 30 feet for a Place of Beginning;

Thence North 45 degrees East, parallel with the Northwesterly side of Main Street, 20 feet to a point;

Thence North 45 degrees West 90 feet;

Thence South 45 degrees West, 20 feet to a point;

Thence South 45 degrees East, 90 feet to the place of beginning; being what would be the Northeasterly 20 feet Lot 9, Block 41 of the Partition and Distribution in the matter of the Estate of Francis A. Janeaux, deceased, if said Block were subdivided into Lots and numbered according to Block 31 of said Partition and Distribution. Recording Reference: Book 189 of Deeds, page 180.

Tract 3:

Lot 6, Block 41 of P & D Addition to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana.

212 Main, Lewistown, MT: Parcel #08246715146020000

Tract 1:

Lot 1, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana.

Lot 2, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana. Beginning at the most Easterly corner of Lot 2, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana:

Thence North 45 degrees East, parallel with the northwesterly side of Main Street, 30 feet;

Thence North 45 degrees West 90 feet;
Thence South 45 degrees West 30 feet to the most Northerly corner of said Lot 2;
Thence South 45 degrees East along the Northeasterly line of said Lot 2, 90 feet to the place of beginning; being what would be the Southwesterly 30 feet of Lot 9, Block 41 of the Partition and Distribution in the matter of the Estate of Francis A. Janeaux, deceased, if said Block were subdivided into Lots and numbered according to Block 31 of said Partition and Distribution. Recording Reference: Book 177 of Deeds, page 272,

Tract 2:

Beginning at the most Easterly corner of Lot 2, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana;
Thence North 45 degrees East, parallel with the Northwesterly side of Main Street, 30 feet for a Place of Beginning;
Thence North 45 degrees East, parallel with the Northwesterly side of Main Street, 20 feet to a point;
Thence North 45 degrees West 90 feet;
Thence South 45 degrees West, 20 feet to a point;
Thence South 45 degrees East, 90 feet to the place of beginning; being what would be the Northeasterly 20 feet Lot 9, Block 41 of the Partition and Distribution in the matter of the Estate of Francis A. Janeaux, deceased, if said Block were subdivided into Lots and numbered according to Block 31 of said Partition and Distribution, Recording Reference: Book 189 of Deeds, page 180.

Tract 3:

Lot 6, Block 41 of P & D Addition to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana.

116 Daws, Lewistown, MT: Parcel #08246715146350000

Tract1:

Lot 1, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana.
Lot 2, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana,
Beginning at the most Easterly corner of Lot 2, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana:
Thence North 45 degrees East, parallel with the northwesterly side of Main Street, 30 feet;
Thence North 45 degrees West 90 feet;
Thence South 45 degrees West 30 feet to the most Northerly corner of said Lot 2;
Thence South 45 degrees East along the Northeasterly line of said Lot 2, 90 feet to the place of beginning; being what would be the Southwesterly 30 feet of Lot 9, Block 41 of the Partition and Distribution in the matter of the Estate of Francis A. Janeaux, deceased, if said Block were subdivided into Lots and numbered according to Block 31 of said Partition and Distribution.
Recording Reference: Book 177 of Deeds, page 272.

Tract 2:

Beginning at the most Easterly corner of Lot 2, Block 8 of Janeaux Addition No. 1 to the City of Lewistown, Fergus County, Montana;

Thence North 45 degrees East, parallel with the Northwestern side of Main Street, 30 feet for a Place of Beginning;

Thence North 45 degrees East, parallel with the Northwestern side of Main Street, 20 feet to a point;

Thence North 45 degrees West 90 feet;

Thence South 45 degrees West, 20 feet to a point;

Thence South 45 degrees East, 90 feet to the place of beginning; being what would be the Northeasterly 20 feet Lot 9, Block 41 of the Partition and Distribution in the matter of the Estate of Francis A. Janeaux, deceased, if said Block were subdivided into Lots and numbered according to Block 31 of said Partition and Distribution. Recording Reference: Book 189 of Deeds, page 180.

Tract 3:

Lot 6, Block 41 of P & D Addition to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana.

716 Ohio, Lewistown, MT: Parcel # 08246715257010000

Lots 9 and 10 in Block 19 of Stafford's Fifth Addition to the City of Lewistown, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Fergus County, Montana.

Lewistown, MT: Parcel # 08246715257020000 (garage adjacent to house at 716 Ohio).

Lots 9 and 10 in Block 19 of Stafford's Fifth Addition to the City of Lewistown, according to the map or plat thereof on file and of record in the office of the Clerks and Recorder of Fergus County, Montana.

Lewistown, MT: Parcel # 08246709220060001 1420 Cochrane, Lewistown, MT
Lots 10, 11, 12 and 13, Block 7 of Lewistown Heights, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana.

1421 Cochrane Ave., MT 59457 (ZIP code for Lewistown): Parcel # 08246709220068002

On Lot 11 Block 7 Lewistown Heights 1989 Guerdon Meadowbrook 28 X 70 TN:W247180
SN:GDB01D16895813A.

1208 7th Avenue N., Lewistown, MT: Parcel #08246715257040000

The Northwestern 45 feet of Lots 11 and 12, Block 19 of Stafford Addition No. 5, to the City of Lewistown, Fergus County, Montana, according to the official recorded plat thereof, filed in the office of the Clerk and Recorder, Fergus County, Montana.
Recording Reference: Book 197 of Deeds, page 215.